

No. **CR 08 00058 JW**
PVT

FILED

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

THE UNITED STATES OF AMERICA

vs.

JOSE MARTINEZ-GONZALEZ

INDICTMENT

COUNT ONE:

Title 8, U.S.C. § 1326 - Illegal Re-Entry Following
Deportation

A true bill.

Ramona L. Will

Foreperson

Filed in open court this 6 day of February

A.D. 2008

Ramona L. Will

United States Magistrate Judge Foreperson

Bail. \$ no bond prj
process

Daniel V. Trumbull
U S Magistrate Judge

JOSEPH P. RUSSONIELLO (CABN 44332)
United States Attorney

FILED

2008 FEB -6 P 4: 20

E-FILING

RICHARD W. WIERING
CLERK
U.S. DISTRICT COURT
NO. DIST. OF CAL. S.J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

JW

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSE MARTINEZ-GONZALEZ

Defendant.

CR No. 08 00058 PVT

VIOLATION: 8 U.S.C. § 1326 –
Illegal Re-Entry Following Deportation

SAN JOSE VENUE

INDICTMENT

The Grand Jury charges:

On or about December 19, 2007, the defendant

JOSE MARTINEZ-GONZALEZ,

an alien, previously having been arrested and deported from the United States on or about
June 2, 1997, May 3, 2000, and January 18, 2006, was found in the Northern District of
California, the Attorney General of the United States and the Secretary for Homeland Security
not having expressly consented to a re-application by the defendant for admission into the United

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INDICTMENT

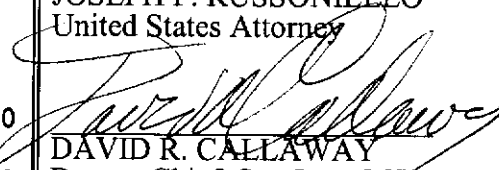
1 States, in violation of Title 8, United States Code, Section 1326.

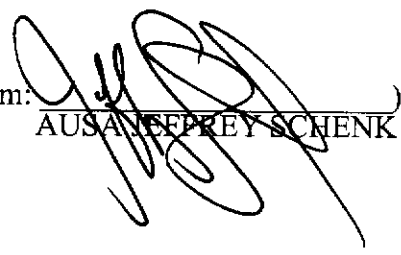
2
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4 DATED: 2/6/08

A TRUE BILL.

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6 
7 FOREPERSON

8 JOSEPH P. RUSSONIELLO
9 United States Attorney

10 
11 DAVID R. CALLAWAY
Deputy Chief, San Jose Office

12
13 (Approved as to form: )

14 AUSANNE FREY SCHENK
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INDICTMENT

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURTBY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING**OFFENSE CHARGED**Title 8, U.S.C. § 1326 - Illegal
Re-Entry Following Deportation**E-FILING**☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony**PENALTY:**20 years imprisonment
\$250,000 fine
3 years supervised release
\$100 special assessment fee**CR 08****00058****PVT****JW**Name of District Court, and/or Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA**DEFENDANT - U.S.**

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JOSE MARTINEZ-GONZALEZ

DISTRICT COURT NUMBER

RICHARD W. WIEGAND
CLERK
U.S. DISTRICT COURT
NO. DIST. OF CAL. S.D.**DEFENDANT****IS NOT IN CUSTODY**

- 1) ☐ Has not been arrested, pending outcome this proceeding.
If not detained give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) ☒ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges } ☐ Fed'l ☐ State

If answer to (6) is "Yes", show name of institution

Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

ICE

☐ person is awaiting trial in another Federal or State Court, give name of court☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:☐ U.S. Att'y ☐ Defense

SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on THIS FORM **JOSEPH P. RUSSONIELLO**☒ U.S. Att'y ☐ Other U.S. Agency

Name of Asst. U.S. Att'y (if assigned)

JEFFREY B. SCHENK**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**☐ SUMMONS ☒ NO PROCESS*☐ WARRANT Bail Amount: _____

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address: _____

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____

Before Judge: _____

Comments: _____